Bradley E. Turk, Esq.		
49 East 21st Street, Apartn	nent 10C	
New York, New York 100		
Tel: (347) 387-6390		
Attorneys for Claimant Fr	ed Schwartz 2008 Granton	r Retained Annuity Trust
UNITED STATES BANK	CRUPTCY COURT	
SOUTHERN DISTRICT	OF NEW YORK	
		- X
SECURITIES INVESTOR	PROTECTION	:
CORPORATION,	71 1 100 A 11	: Adv. Pro. No. 08-0179 (BRL)
	Plaintiff-Applicant,	: . SIPA Liquidation
	**	: SIPA Liquidation
	v.	: (Substantively Consolidated)
BERNARD L. MADOFF IN	NVESTMENT	: (Substantial Carlo
SECURITIES LLC,		:
,		:
	Defendant.	:
		:
		X
In re:		•
BERNARD L. MADOFF		•
DEMAND L. IVA ID O. A		•
	Debtor,	•
		•
		-
		_ Y

CLAIMANT'S OBJECTION TO TRUSTEE'S DETERMINATION OF CLAIM

Claimant Fred Schwartz 2008 Grantor, by its attorney Bradley E. Turk, Esq., hereby submits its objection to the Trustee's denial of its customer Claim Number 4599. The basis for Claimant's objection is the Trustee's faulty construction of the term Net Equity, which should properly be based on each claimant's balance as shown on their November 30, 2008 account statement provided by BLMIS.

In support of its objection Claimant submits herewith its November 30, 2008 account

statement, which shows a closing balance of \$2,639,667.74. Based on that closing balance, Claimant is entitled to an allowed claim in the BLMIS liquidation proceeding.

Dated: New York, New York

November 25, 2009

BRADLEY E. TURK, ESQ.

By:

Bradley E. Turk

49 East 21st Street, Apartment 10C

New York, New York 10010

Telephone: 347-387-6390

Attorneys for Claimant

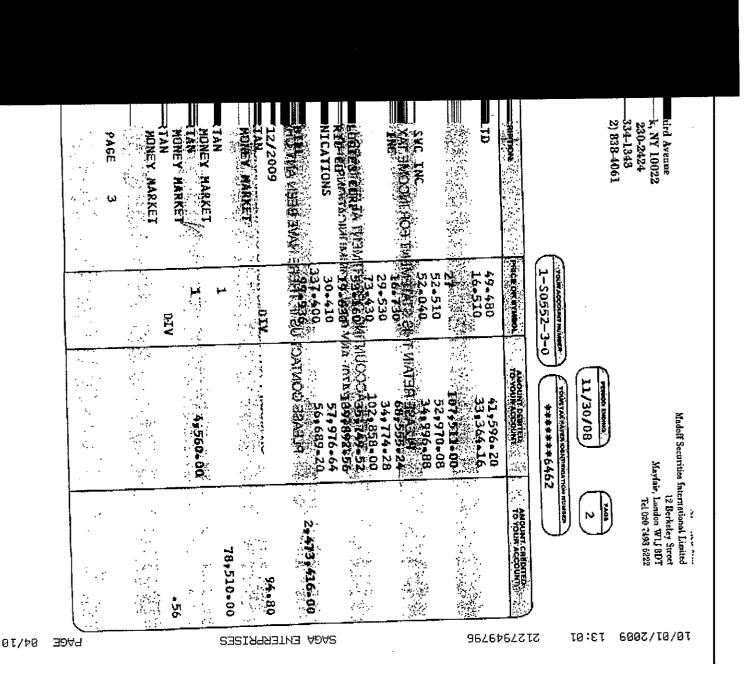
Fred Schwartz 2008 Grantor Retained

Annuity Trust

Entered 12/02/09 11:55:52 08-01789-cgm Doc 1034 Filed 11/30/09 Main Document PAGE 3/10 * RCVD AT 10/1/2009 1:09:42 PM [Eastern Daylight Time] * 5/18/19/10 * DMIS:3410 * CSID:2/27949796 * DURATION (mm-ss):05-36 PLEASE RETAIN THIS STATEMENT FOR INCOME TAX PURPOSES MADE MCENTED OF LONG FRED SCHWARTZ 2008 GRANTOR RETAINED ANNUITY TRUST C/D FRED SCHWARTZ INVESTMENT SECURITIES LLC New York C London BERNARD L. MADOFF FIFTH AVENUE 1,456 5,320 2,688 952 33528 34864 34360 616 4**9**536 1,344 4,007 2,520 1,848 1,680 1,064 1,064 TIMESATE SOLVE TO DELIVERAD OF SHORT ٠. CHI ZEITHIK ZZ7632 H GOCWEGILA CON CHASE & CO IN THE MESS CONTROLL SUITE :15 10021 1010 ORACLE CORRUCATION A MICROSOFT CORP. 53490 5403 9227 9729 31358 66468 61640 97815 *TELS 14055 65966 62342 4901 3 ABBOTT LANDRATORIES
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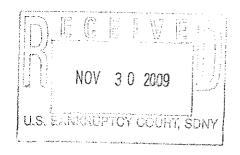
BRADLEY E. TURK, ESQ.

Direct Tel: 347.387.6390 Direct Fax: 212.895.0328

November 25, 2009

Clerk of the United States Bankruptcy Court for the Southern District of New York One Bowling Green New York, NY 10004

Irving H. Picard, Trustee Baker & Hostetler LLP 3200 National City Center 1900 East 9th Street Cleveland, OH 44114-3485



BY MAIL

Re: Liquidation of Bernard Madoff Investment Securities LLC

Claim No. 4599 (Fred Schwartz 2008 Grantor Retained Annuity Trust)

Dear Sirs:

Enclosed please find Claimant Fred Schwartz 2008 Grantor Retained Annuity Trust's objection to the Trustee's determination of the above-referenced claim.

Respectfully submitted,

Bradley E. Turk